UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

U. S. DISTRICT COURT WESTERN DISTRICT OF LOUISIANA

6 1994

IN THE MATTER OF:

FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE IN CERTAIN PETTY OFFENSE CASES RODERT H. SHEMWAY, VERK

ORDER

Pursuant to Federal Rule of Criminal Procedure 58(d)(1), it is hereby ordered that:

In the interest of justice, efficient court administration, and effective law enforcement concerning the petty offenses listed below, occurring within the territorial jurisdiction of the United States District Court for the Western District of Louisiana, collateral in the amount prescribed below may be posted in lieu of the appearance of the offender;

Upon the election of the person charged with such an offense to post said collateral in lieu of appearance before the United States Magistrate for trial of said offense, the collateral in the amount listed below opposite the offense shall be forfeited to the United States. The posting of such collateral shall signify that the offender neither contests the charge nor requests a hearing before the United States Magistrate, and said collateral shall be administratively forfeited to the United States. If the collateral is forfeited, such action shall be tantamount to a finding of guilty.

There shall be maintained in the office of the Clerk a current list of the petty offenses and fines applicable thereto for which collateral may be accepted;

Pursuant to the foregoing provisions, the offenses for which collateral may be posted in lieu of the appearance of the person charged therewith are:

BUREAU OF LAND MANAGEMENT

VIOLATIONS OF UNITED STATES CODE:

American Antiquities			Collateral fine
18/1361 Vandalism	TITLE/SECTION		
18/1852 Timber removed or transported Appearance			
18/1853 Trees cut or injured Appearance 18/1856 Fires left unattended 19/1856 Fires left unattended 19/1857 Pences destroyed; livestock entering 5.00.00 18/1858 Survey marks destroyed or removed Anadatory Appearance 43/1061 Unlawful enclosure Anadatory Appearance 43/1063 Obstruction of transit over Public Lands 100.00 Anadatory Appearance 43/1063 Obstruction of transit over Public Lands 100.00 Anadatory Appearance 43/1063 Obstruction of transit over Public Lands 100.00 Anadatory Appearance 4140.1(b)(1) Allowing livestock on Public Land without 140.1(b)(2) Disturbing or installing range improvements 5.00.00 140.1(b)(3) Cutting, burning, spraying, destroying or removing wegtation 5.00.00 140.1(b)(5) Obstruction 5.00.00 140.1(b)(5) Obstruction 5.00.00 140.1(b)(5) Obstruction 5.00.00 140.1(b)(5) Obstruction 5.00.00 140.1(b)(6) Obstruction 6.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00 0.00.00			
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stock \$ 75.00 9264.7(a)(9) Fails to produce Wild Horse or Burro for inspection \$100.00 9264.7(a)(10) Failure to notify of death of Wild Horse or Burro \$ 75.00 9264.7(a)(11) Removal or alteration of official mark Mandatory	9264.7(a)(8)	Use of Wild Horse or Burro for Bucking	
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for inspection \$100.00 9264.7(a)(10) Failure to notify of death of Wild Horse or Burro \$75.00 9264.7(a)(11) Removal or alteration of official mark Mandatory	9264.7(a)(9)	Fails to produce Wild Horse or Burro	
9264.7(a)(10) Failure to notify of death of Wild Horse or Burro \$ 75.00 9264.7(a)(11) Removal or alteration of official mark Mandatory		for inspection	\$100.00
or Burro \$ 75.00 9264.7(a)(11) Removal or alteration of official mark Mandatory	9264.7(a)(10)	Failure to notify of death of Wild Horse	
	• • •	or Burro	\$ 75.00
Appearance	9264.7(a)(11)	Removal or alteration of official mark	Mandatory
			Appearance

, 4			
	1264 7(n) (12)	Abandoning Wild Horse or Burro	\$200.00
)264.7(a)(12) 9264.7(a)(13)	Failure to attempt to capture Wild Horse or Burro	\$ 75.00 Mandatory
ı	9264.7(a)(14)	Accepting Wild Horse or Burro for slaughter or destruction	Appearance
	9264.7(a)(15)	Failure to retain Wild Horse or Burro certification	\$100.00

Nothing in the above schedule of violations is meant to preclude a federal officer or official from filing a complaint against a violator and having that violator appear before an appropriate magistrate. If a person charged with an offense in the attached Sections of the Schedule of this rule fails to post and forfeit collateral, any punishment, including fine, imprisonment, or probation, may be imposed within the limits established by law upon conviction by plea or after trial.

This Order shall constitute the Court's policies with regard to collateral forfeiture in the listed petty offense matters and shall supplant any previous orders in that regard.

Alexandria, Louisiana, this with day of October 1994.

JOHN M. SHAW, CHIEF JUDGE UNITED STATES DISTRICT COURT

F. A. LITTLE, JR.

UNITED STATES DISTRICT JUDGE

DONALD E. WALTER

UNITED STATES DISTRICT JUDGE

RICHARD T. HAIK

UNITED STATES DISTRICT JUDGE

James May

JAMES T. TRIMBLE, JR.

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT JUDGE

MELANCON UNITED STATES DISTRICT JUDGE

COPY SENT

DATE 10-6-94

M. Mike Skinner 4-19-95 State gudger all Magnetist gudger